

NO. 24782

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

AMOS P. NAONE, Petitioner-Appellant

vs.

STATE OF HAWAI'I, Respondent-Appellee

APPEAL FROM THE FIRST CIRCUIT COURT
(S.P.P. NO. 01-1-0030)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Ramil, and Acoba, JJ.)

Upon review of the record, it appears that this court mailed the record on appeal to Appellant Amos P. Naone on February 20, 2002, but the record on appeal was returned to the supreme court with the notation "Return to Sender: Subject Paroled." The court mailed a letter dated April 10, 2002 to Appellant informing him that the time for filing the opening brief expired on March 31, 2002 and that, pursuant to Rule 30 of the Hawai'i Rules of Appellate Procedure, the matter would be called to the attention of the court for such action as the court deemed proper including dismissal of the appeal. On April 18, 2002, the letter was returned to the supreme court as "not deliverable as addressed; unable to forward." No forwarding address having been provided to the court,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, May 2, 2002.